

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER WILSON,  
Plaintiff,

v.

ACTING SECRETARY CHAD WOLF,  
DEPARTMENT OF HOMELAND  
SECURITY; DIRECTOR L. FRANCIS  
CISSNA, U.S. CITIZENSHIP AND  
IMMIGRATION SERVICES; and CHIEF  
BARBARA VELARDE, ADMINISTRATIVE  
APPEALS OFFICE,  
Defendants.

**ORDER**

20 CV 2413 (VB)

-----X  
Under Rule 18 of the SDNY Rules for the Division of Business Among District Judges, a civil case must be designated for assignment to White Plains if:

- i. The claim arose in whole or in major part in the Counties of Dutchess, Orange, Putnam, Rockland, Sullivan, or Westchester (the “Northern Counties”) and at least one of the parties resides in the Northern Counties; or
- ii. The claim arose in whole or in major part in the Northern Counties and none of the parties resides in this District.

A civil case may also be designated for assignment to White Plains if:

- iii. The claim arose outside this district and at least some of the parties reside in the Northern Counties; or
- iv. At least half of the parties reside in the Northern Counties.

According to the civil cover sheet, plaintiff resides in New York County, which suggests the claim arose there rather than in any of the Northern Counties. Therefore, it does not appear this case was properly designated to White Plains pursuant to Rule 18.

Furthermore, under Rule 4(b) of the Rules for the Division of Business, “[i]f an action, case or proceeding, or one essentially the same, is dismissed and refiled, it shall be assigned to the same judge. It is the duty of every attorney appearing to bring the facts of the refiling to the attention of the clerk.”

Plaintiff alleges that on or about April 15, 2019, he commenced an action based on the same underlying facts as are alleged in this complaint. (See Docket 19-CV-3330). That case was assigned to the Hon. Gregory H. Woods and later dismissed pursuant to a stipulation of voluntary dismissal.

Accordingly, by March 30, 2020, plaintiff's counsel shall submit a letter to the Court either acknowledging that this case should be transferred to Manhattan or explaining why the case is properly designated for assignment to White Plains under Rule 18. If the case should be transferred to Manhattan, plaintiff's counsel should explain why it should not be assigned to Judge Woods under Rule 4(b).

Dated: March 23, 2020  
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti  
United States District Judge